

**APPENDIX A**  
**Personal Services/Contracts Program Statewide Blanket Waiver**  
**Pilot Program Questionnaire**  
**Summary Results – September 10, 2004**

**1. Time to obtain DPA approvals for personal services contracts (the entire contracting process) before implementation of the Pilot Blanket Waiver?**

Responses = 8  
Average = 46.5  
Range = 24 – 72 hours

Comments:

- Unknown, as HR is only one piece of the process. I'm not aware of the Accounting/Purchasing turnaround times.
- N/A, We already had a waiver in place before the Waiver Pilot Program, so there was no difference in time involved.
- We had waivers in place in 1999. No change from current pilot.
- 9 days for routine services (80% of annual services workload), 7 days for modification (options & amendments) that were within scope of original contract and/or as shown on original approval (15% of annual services workload). Notes: interagency mail time included in about figures, entire contracting process entails work at all levels but only the portion of the contract process that relate to the Personnel Services review piece (not AG, SCO, etc.), and every cost analysis completed has unique factors so samples are available but not a perfect model for programs to follow.
- When I started to do the contract for our division, the Pilot Program was already implemented. I think the turn around time is awesome. I have no complaint. If I have any questions, HR unit is always there to help.

**2. Time required by program staff to obtain approvals for personal services requests after implementation of the Blanket Waiver?**

Responses = 9  
Average = 11.8  
Range = 3 – 24 hours

Comments:

- Unknown, as HR is only one piece of the process. I'm not aware of the Accounting/Purchasing turnaround times.
- N/A, There was some time involved at the beginning of the project. However, we had out internal waiver approved early in the Pilot Program, so the time differences were negligible.
- Unable to address this in hours. I typically get 2 to 3 day turn around on review requests.
- On average, I could expect an answer with a maximum of three days.
- 8 average hours per personal services' document review. Estimate is elapsed turnaround time. Some have been processed within an hours.

- 1 day for routine services, 7 days for modifications that were within scope of original contract and /or as shown on original approval, and 3 months for items requiring a cost analysis. Note: interagency mail time included in above figures.
- When I started to do the contract for our division, the Pilot Program was already implemented. I think the turn around time is awesome. I have no complaint. If I have any questions, HR unit is always there to help.

**3. Do you & staff have the knowledge, training, & resources to do the job? Has DPA provided adequate training & resources? If not, what other training and resources are needed?**

Responses = 13

Yes = 13 (100%)

No = 0 (0%)

Comments:

- I feel very competent & well trained to review & make appropriate decisions regarding Personal Services Contracts/Modifications.
- I received training over a year ago.
- Training has been provided, however more in depth training in the areas related to the fiscal rules, procurement process, and contracting process would be extremely helpful in the Personal Services HR review process.
- Personnel Certification Training provided by Joi Simpson, DPA Human Services for the most part was excellent. Division Programs continue to want training on permissible solutions to their issues and it is recommended that this training be conducted by DPA HRU at the quarterly DPA EDO CUGT Training. The DCS Management Team appreciates the session I did for them on independent contractors versus employees, the differences, potential liabilities, and options. It was repeated for front line staff within a program at a manager's request and the staff had a lot of good questions specific to their operations and it was a good two-way dialogue. They were referred to HRU for more in-depth information or asked to bring up their issues at the next CUGT Training. Training needs to filter down to Program level.

**4a. Impact of Blanket Waiver on agencies'/departments' staff: morale issues.**

Responses = 13

Increased = 6 (54%)

No Change = 6 (46%)

Other = 1

Comments:

- The programs would be in a better position to assess the morale and workload

- When I started to do the contract for our division, the Pilot Program was already implemented. I think the turn around time is awesome. I have no complaint. If I have any questions, HR unit is always there to help.

#### **4b. Impact of Blanket Waiver on agencies'/departments' staff: workload issues.**

Responses = 13

No Changes = 2 (15.4%)

Decreased = 3 (23.1%)

Increased = 3 (23.1%)

Increased & Decreased = 1 (7.7%)

Don't Know = 1 (7.7%)

Comments:

- Decreased, we much prefer the 'in house' process. Our feeling is that, overall, there is less total workload by not having to explain to sometimes several approving authorities our intentions and interpretations.
- Decreased, forms are simplified, which saves time.
- Increased, There was increased workload only in developing our new blanket waiver. Now that it is in place there is virtually no change in workload issues.
- Increased & Decreased. Workload increased for Human Resources and decreased for Purchasing and Contracts. Other departments experienced no change in workload although their contracts are being processed more quickly.
- Increased, we are over addressing/documenting the issue in some areas.
- The programs would be in a better position to assess the morale and workload.
- Increased, One FTE now needs to spend 50% time on personal service contract review & pilot development/implementation. I think morale has improved; the process is quicker and there is more direct contact with the information source. There is also more ability to monitor so problems don't go undetected or escalate.
- Decreased. An immense amount of time has been saved by staff (Program, Contract Administrator and Manager, and HR). Contract Administrator has redirected the timesavings to other areas on the contract process for improvement (I.e. Master Schedule, trouble shooting issues and Contract Database).
- When I started to do the contract for our division, the Pilot Program was already implemented. I think the turn around time is awesome. I have no complaint. If I have any questions, HR unit is always there to help.

## **5. Time needed to create new Agency/Department process before implementing the Pilot Program (in hours)**

Responses = 6

Average (Mean) = 74.375 Hours

Average (Median) = 33

Range = 8 Hours to 500 Hours

Comments:

- I didn't create the process. I had a part in reviewing the final document, but did not actually create. This involved very little time in reviewing.
- Approx. 36 Hours, The hours involved included the two training sessions plus an investment in time while we were searching the statute and guidelines and developing the waiver plan for our institution.
- 8 Hours X 3 Personnel = 24 work hours
- Unable to offer an accurate estimate.
- No time required by program staff, since training was completed over a year ago.
- N/A, this responsibility was coordinated by the Human Resources Director and the Purchasing Officer.
- 450-500 working hours. 250 hours for me as the lead FTE to train to other FTE (100 hours each). In addition to pilot development and implementation, this includes waiver research, calls/discussions, database/tracking, and training 2 new FTE through daily contract review.
- 10 Hours. Input for Div. Of Central Services Programs and DFP Central Collection-review program purchase order and contracts, coordinate with Accounting and Program staff, write-up requirements, reviews meetings, and follow-up.
- When I started to do the contract for our division, the Pilot Program was already implemented. I think the turn around time is awesome. I have no complaint. If I have any questions, HR unit is always there to help.

## **6. Is value being added to the State by DPA switching from reviewing & approving personal services requests to training & audit? If not, what can be done that would add more value?**

Responses = 13

Yes = 9 (69.2%)

No = 2 (15.4%)

Probably = 1 (7.7%)

Yes & No = 1 (7.7%)

Comments:

- Probably, but too soon to know.
- Yes, I think it is best for DPA to be "oversight" as the individual Agencies are the best source to determine their own needs and/or services.
- Yes, for efficiency decisions should be made at the lowest practical level.

- No. By transferring this authority to the agencies, you are placing “the fox in charge of the hen-house” regarding compliance with state regulations. These persons will do what their executive director instructs, regardless of statute.
- No. Purchasing Departments can include instructions for this process in normal training schedule to educate its user.
- In some instances it adds value. However, there may be conditions that are more conducive to have the DPA oversight.
- Yes. Further improvements could be made - refer to Item 11. A. Contract Administrator’s Concern - when there is a multiple year contract that is either approved via the department waiver, a Personal Services Certification without an Analysis, or a Personal Services Certification with Analysis, and the original certification contains all the information for all years of the contract. I do not see the rationale for having to recertify, review and approve a modification form for each subsequent year unless the facts (scope) have changed from the original review. Certify the facts up front on the contract for the multiple year period, note it on the CLIN rather than requiring completion of a modification, and then make it part of the audit process. Additionally, too many people are reviewing for compliance with Personnel Services requirements. B. Managers’ Concern - Should services be disapproved for outsourcing when no employees will be displaced as a result of the outsourcing, the time required doing paperwork for approval of on-going outsourced service contracts (such as custodial services), and lastly, development of a contingency plan that permits services to keep going with an outside contractor for a two-year period to allow sufficient time for a service to be transitioned back to an in-house operation which includes, but is not limited to obtaining funding and spending authority, staff, space, supplies, and equipment. C. Yvonne Rico’s involvement and assistance in discussions and reviews has been very valuable.

## **7. Further educate staff outside of HR regarding personal services requirement and the need for review?**

Responses = 11

Comments:

- Continued training & refresher courses.
- Department Level Training
- Training was good
- Actually, I think the job is already being done. I believe DNR staff to be very knowledgeable on the requirements.
- We are placing continuing attention toward awareness and training at our institution.
- Further training of staff.
- Don’t know.
- Make the standard training available on a regular basis to assist new employees. Perhaps this is already in place.
- HELP agencies develop contract review process, forms & training (provide guidance, not necessarily mandates).
- Yes. Personnel Certification Training provided by Joi Simpson, DPA Human Services for the most part was excellent. Division Programs continue to want training on permissible solutions to their issues and it is recommended that this training be conducted by DPA HRU at the quarterly DPA EDO CUGT Training. The DCS Management Team appreciates the session I did for them on independent contractors versus employees, the differences, potential liabilities, and options. It was repeated for front line staff within a program at a manager’s

request and the staff had a lot of good questions specific to their operations and it was a good two-way dialogue. They were referred to HRU for more in-depth information or asked to bring up their issues at the next CUGT Training. Training needs to filter down to Program level.

- Training classes for the individual's who is doing contracts for the first time.

## **8. Risks Reduced, relate to independent contractor issues and IRS's misclassification of employees as contractors?**

Responses = 10

Comments:

- Continued training, provide updates, post examples of infractions, provide IRS definition of independent contractor.
- Adherence to checklists for determining independent contractor status. DPA audit findings.
- Perhaps, DPA could have an annual or bi-annual seminar to review policies & procedures.
- I think the way is being paved. Having each Agency directly responsible for their approval process adds to the accountability.
- Continuing education of our HR staff and the individual departments. For example, the recent training sponsored by the Controller's Office and the IRS was excellent.
- This has been one of the major advantages to the new process. The new process has reduced the risk by having the appropriate people make the judgments.
- From my viewpoint, we are not experiencing unusual problems with this pilot program.
- Providing training additional program requirements, and DPA oversight to enforce the program requirement.
- Somehow expose every employee to this to raise awareness (they may want to come back as a contractor after retirement!). Make it part of new employee orientation & find a way to educate existing employees like incorporating it in a payroll insert or mailer to their homes (they probably won't read it in Stateline).
- Yes. Personnel Certification Training provided by Joi Simpson, DPA Human Services for the most part was excellent. Division Programs continue to want training on permissible solutions to their issues and it is recommended that this training be conducted by DPA HRU at the quarterly DPA EDO CUGT Training. The DCS Management Team appreciates the session I did for them on independent contractors versus employees, the differences, potential liabilities, and options. It was repeated for front line staff within a program at a manager's request and the staff had a lot of good questions specific to their operations and it was a good two-way dialogue. They were referred to HRU for more in-depth information or asked to bring up their issues at the next CUGT Training. Training needs to filter down to Program level.

**9a. Staff hours required for ongoing duties associated with reviewing & approving requests for personal services contracts/POs under pilot program: Hrs. for Waivers Program/week**

Responses = 13

Average = 2

Range = 0 Hours to 3 Hours

Note: The majority of the responses indicated that the on-going staff hours were not tracked.

**9b. Staff hours to perform ongoing duties associated with reviewing and approving requests for personal services contracts/purchase orders under pilot program: Hrs. Reviewing / Approving Requests/week**

Responses = 8

Average = 3.375

Range = 0 Hours to 8 Hours

Comments:

- Unknown at the present time
- 2 Hours, I do very little reviewing of the actual Waiver Program documents; however, I review/approve the actual requests every week.
- No Hours. With a good internal waiver program in place & training through the Pilot Program, the time commitment has been minimized. The only additional time comes with those contracts that are not covered by the waiver.
- 3.5 Hours, not sure what the difference is?
- Don't know
- N/A our agency prepares the request. We are not a part of the review/approval process.
- 5 Hours, These are averages, but of course the time commitment varied widely.
- 2.5 (20% services)

**10. The efficiency of implementing the Pilot Program:**

Responses = 13

Very Good = 4 (30.8%)

Good = 7 (53.8%)

Fair = 2 (15.4%)

Range = Fair to Very Good

Comments:

- Good, assuming this question refers to the Pilot Training Program. The downside is the necessity of traveling to the Front Range for training. Our budget and the time commitment typically prohibits us from attending.
- Good, Not enough attention was paid to the type of service in the waiver as actually contracted for by the agencies.
- Fair. Initial approval and implementation of Pilot Program seemed unreasonably delayed.

## 11. Other comments about the Pilot Blanket Waiver program:

Responses = 8

Comments:

- Now that the program is implemented, we are very pleased thus far.
- Our staff was unable to attend the seminar/sessions regarding the Pilot Program, so we are not in a position to comment. We will be calling with some questions.
- The ongoing duties have not been a problem but making time for training and writing policies has been hard to find on top of regular job demands.
- I see this as a very positive approach to better customer service.
- I think there have been definite improvements and I hope it is allowed to continue. I hope that feelings of program managers are not swayed negatively by the better oversight that is able to occur, but hopefully most of them have experienced the improved efficiencies as well.
- Contract Administrator's Concern - when there is a multiple year contract that is either approved via the department waiver, a Personal Service Certification without an Analysis, or a Personal Services Certification with Analysis, and the original certification contains all the information for all years of the contract. I do not see the rationale for having to recertify, review and approve a modification form for each subsequent year unless the facts (scope) have changed from the original review. Certify the facts up front on the contract for the multiple year period, note it on the CLIN rather than requiring completion of a modification, and then make it part of the audit process. Additionally, too many people are reviewing for compliance with Personnel Services requirements.
- Managers' Concern - Should services be disapproved for outsourcing when no employees will be displaced as a result of the outsourcing, the time required doing paperwork for approval of on-going outsourced service contracts (such as custodial services), and lastly, development of a contingency plan that permits services to keep going with an outside contractor for a two-year period to allow sufficient time for a service to be transitioned back to an in-house operation which includes, but is not limited to obtaining funding and spending authority, staff, space, supplies, and equipment.
- Yvonne Rico's involvement and assistance in discussions and reviews has been very valuable.